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BRINKS HOFFER GILSON & LIONE ONE INDIANA SQUARE, SUITE 1600 INDIANAPOLIS, IN 46204			STEVENS, ROBERT	
			ART UNIT	PAPER NUMBER
			2176	

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/981,453

Applicant(s)

JUNKERMANN, JENS B.

Examiner

Robert M Stevens

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 December 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-50 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. This action is responsive to communications: **Application No. 09/981,453** amendment filed 12/22/2004 to the original application filed 10/18/2001 by Junkermann entitled "XML-Based Multi-Format Business Services Design Pattern".
2. The Office withdraws objections raised in the First Action on the Merits (FAOM) concerning the specification, in light of the amendment.
3. The Office withdraws objections raised in the FAOM concerning the drawings, in light of the amendment.
4. The Office withdraws the claim rejections under 35 USC 112 2<sup>nd</sup> paragraph raised in the FAOM, in view of the amendment.
5. The Office maintains the FAOM rejections of claims 1-6, 8-25 and 27-40 under 35 USC 102(e) as being unpatentable over Jamtgaard.
6. The Office maintains the FAOM rejections of claims 7 and 26 under 35 USC 103(a) as being unpatentable over Jamtgaard in view of McManis.

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7. The Office maintains the FAOM rejections of claims 41-50 under 35 USC 103(a) as being unpatentable over Jamtgaard in view of Flanagan.

8. Claims 1-50 are pending. Claims 1, 13, 21, 34 and 41 are independent.

***Claim Rejections - 35 USC § 112***

9. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

10. **Claims 1-9 and 22-25 rejected under 35 U.S.C. 112, first paragraph**, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The term "sequenced" constitutes new matter, not enabled within the specification at the time of filing the original application. For the purposes of further examination, the Office interprets "sequenced" to mean "ordered", as per the originally filed specification.

***Claim Rejections - 35 USC § 102***

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1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-6, 8-25 and 27-40 are rejected under 35 U.S.C. 102(e)** as being anticipated by Jamtgaard et al. (US Patent No. 6,430,624, provisionally filed Oct. 21, 1999 and issued Aug. 6, 2002, hereafter referred to as "Jamtgaard").

**Regarding independent method claim 1, Jamtgaard discloses:**

*A method of interfacing a front-end systems layer with a back-end systems layer using a self describing data structure, the method comprising:*

- a) receiving a request from a front-end systems layer; (col. 4 lines 10-12)*
- b) translating the request; (col. 4 lines 58-62)*
- c) executing custom application code to access data within a back-end systems layer based on the translated request; (Fig. 5 #62)*
- d) receiving data in response to the translated request from the custom application code; (Fig. 5 #62 to #44, re: "Presentation Shoe", then to #60, then #15) and*
- e) translating the data to a format defined in the request. (col. 4 line 66 – col. 5 line 3)*

**Regarding claim 2, which is dependent upon claim 1, Jamtgaard discloses:**

*further comprising the initial step of generating the request in a servlet request format. (Fig. 5 connection between #60 and #44)*

**Regarding claim 3**, which is dependent upon claim 1, Jamtgaard discloses:

*wherein b) comprises translating the request to extensible markup language. (Fig. 5 connection between #60 and #62, re: "XML Document")*

**Regarding claim 4**, which is dependent upon claim 1, Jamtgaard discloses:

*wherein b) comprises translating the request into a document object model document to represent an input message. (Fig. 3 #28, re: DOM format)*

**Regarding claim 5**, which is dependent upon claim 1, Jamtgaard discloses:

*wherein b) comprises limiting the translated request to representation as at least one of integer, long, Boolean, string and group fields. (Fig. 9A, re: "group")*

**Regarding claim 6**, which is dependent upon claim 1, Jamtgaard discloses:

*wherein b) comprises generating a plurality of fields as a function of tags provided in the request. (Fig. 9A, re: group, atomic)*

**Regarding claim 8**, which is dependent upon claim 1, Jamtgaard discloses:

*wherein c) comprises establishing a structure for a response in extensible mark up language. (col. 4 lines 12-17)*

**Regarding claim 9**, which is dependent upon claim 1, Jamtgaard discloses:

*wherein d) comprises limiting the data to representation as at least one of integer, long, Boolean, string and group. (Fig. 9A, re: "group")*

**Regarding claim 10**, which is dependent upon claim 1, Jamtgaard discloses:

*wherein d) comprises generating a document object model document to represent an output message as a function of data received. (col. 10 lines 51-60)*

**Regarding claim 11**, which is dependent upon claim 1, Jamtgaard discloses:

*wherein d) comprises generating a document object model document to represent an output message as a function of data received. (col. 4 line 66 – col. 5 line 3)*

**Regarding claim 12**, which is dependent upon claim 1, Jamtgaard discloses:

*further comprising f) returning the translated data to the front-end systems layer. (Fig. 5 #62, 44)*

**Regarding independent method claim 13**, Jamtgaard discloses:

*A method of leveraging extensible markup language technology to interface a front-end systems layer with a back-end systems layer, the method comprising:*

- a) receiving a request initiated with a delivery technology; (col. 4 lines 10-12)*
- b) identifying the value of a request name parameter from the request; (col. 6 lines 60-66)*
- c) translating the request to an input message, the input message comprising a root element and a plurality of sub elements; (Fig. 5 input connection from #60 to #62, re: "XML Document") and*
- d) initiating the retrieval of data based on the request name parameter. (Fig. 5 #62 to #44, re: "Presentation Shoe", then to #60, then #15)*

**Regarding claim 14**, which is dependent upon claim 13, Jamtgaard discloses:

*further comprising:*

- e) providing data as a response; (Fig. 5 #62 to #44, re: "Presentation Shoe", then to #60, then #15)*
- f) creating an output message with the response, the output message comprising a root element and a plurality of sub-elements; (col. 5 lines 54-64) and*
- g) translating the output message to a format compatible with the delivery technology. (col. 4 line 66 – col. 5line 6)*

**Regarding claim 15**, which is dependent upon claim 13, Jamtgaard discloses:

*wherein c) comprises setting the root element to a message name as a function of the request name parameter. (Fig. 17 #300, as discussed at col. 17 lines 43-45)*

**Regarding claim 16**, which is dependent upon claim 13, Jamtgaard discloses:

*wherein c) comprises creating a document object model document. (Fig. 3 #28, re: DOM format)*

**Regarding claim 17**, which is dependent upon claim 13, Jamtgaard discloses:

*wherein d) comprises executing custom application code corresponding to the request name parameter. (Fig. 5 #62)*

**Regarding claim 18**, which is dependent upon claim 14, Jamtgaard discloses:

*wherein 1) comprises creating a document object model document. (Fig. 3 #28, re: DOM format)*

**Regarding claim 19**, which is dependent upon claim 14, Jamtgaard discloses:

*wherein f) comprises setting the root element to a message name as a function of the request name parameter. (Fig. 17 #300, as discussed at col. 17 lines 43-45)*

**Regarding claim 20**, which is dependent upon claim 13, Jamtgaard discloses:

*wherein the delivery technology comprises at least one of an Internet browser, a telephone, a wireline communication device, a wireless communication device and a wireless application protocol device. (col. 4 lines 58-66)*

**Regarding independent method claim 21**, Jamtgaard discloses:

*A method of operating a business services application for retrieving data with delivery technologies, the method comprising:*



*a) developing custom application code (Fig. 5 #62) in a subclass of a BusinessService class (Fig. 5, un-numbered dotted region), the custom application code responsive to a request for data initiated by the delivery technologies; (Fig. 5 #62, 44, 60 and 15)*

*b) translating the request to a first document object model document with an ApiService class; (Fig. 3 #28, re: DOM format)*

*c) selectively limiting the data structure of the first document object model document with a Message class and a Field class; (tree data structure depicted in Fig. 14)*

*d) executing the custom application code to retrieve data based on the first document object model document; (Fig. 5 connection from #44 to #62, re: "Device info" and "Shoe ID")*

*e) reading data into a second document object model document with the ApiService class; (col. 9 lines 51-60)*

*f) selectively limiting the data structure of the second document object model document with the Message class and the Field class; (tree data structure depicted in Fig. 14) and*

*g) translating the second document object model document with the ApiService class based on the delivery technology. (col. 4 line 66 – col. 5 line 3)*

**Regarding claim 22**, which is dependent upon claim 21, Jamtgaard discloses:

*wherein c) comprises setting a plurality of text nodes within the first document object model document to a unit of data identified by a tag in the request. (Fig. 9A #122, 124, 126)*

**Regarding claim 23**, which is dependent upon claim 22, Jamtgaard discloses:

*wherein c) further comprises limiting the unit of data to a predetermined data type. (Fig. 9A #122, where name = data type String [e.g., "News"])*

**Regarding claim 24**, which is dependent upon claim 22, Jamtgaard discloses:

*wherein c) further comprises limiting the predetermined data type to a string. (Fig. 9A #122, where name = data type String [e.g., "News"])*

**Regarding claim 25**, which is dependent upon claim 21, Jamtgaard discloses:

*wherein c) comprises setting an attribute node within the first document object model document to an attribute identified by a request name parameter in the request. (Fig. 17 #300, as discussed at col. 17 lines 43-45)*

**Regarding claim 27**, which is dependent upon claim 21, Jamtgaard discloses:

*wherein b) comprises representing an input message with the first document object model document. (Fig. 3 #28, re: DOM format)*

**Regarding claim 28**, which is dependent upon claim 21, Jamtgaard discloses:

*wherein e) comprises representing an output message with the second document object model document. (Fig. 3 #28, re: DOM format)*

**Regarding claim 29**, which is dependent upon claim 21, Jamtgaard discloses:

*wherein f) comprises setting, based on a data type, a plurality of text nodes within the second document object model document to data read in to the second document object model document. (Fig. 17 and col. 17 lines 43-53)*

**Regarding claim 30**, which is dependent upon claim 21, Jamtgaard discloses:

*wherein f) comprises setting, as a function of a data type, an attribute node within the second document object model document to all attribute read in to the second document object model document with the data. (Fig. 17 and col. 17 lines 43-53)*

**Regarding claim 31**, which is dependent upon claim 30, Jamtgaard discloses:

*wherein the attribute comprises an attribute name and an attribute value and f) further comprises limiting the attribute value to a predetermined data type. (Fig. 9A #122, where name = data type String [e.g., "News"])*

**Regarding claim 32**, which is dependent upon claim 21, Jamtgaard discloses:

*wherein g) comprises translating the second document object model document to extensible markup language text. (col. 4 line 66 – col. 5 line 3)*

**Regarding claim 33, which is dependent upon claim 21, Jamtgaard discloses:**

*wherein g) comprises translating the second document object model document to at least one of a hypertext markup language and a website meta language as a function of at least one extensible stylesheet language stylesheet. (col. 11 lines 9-12)*

**Regarding independent claim 34, Jamtgaard discloses:**

*An e-commerce architecture for providing a framework to interface delivery technologies with data, the e-commerce architecture comprising:*

*a server computer operable to execute instructions to convert a request to an input message in a predetermined extensible markup language format, the input message comprising a plurality of request parameters; (col. 6 lines 34-40 and col. 4 line 66 – col. 5 line 3)*

*the server computer operable to execute instructions to retrieve data as a function of the request parameters, (col. 6 lines 49-53, alluding to cookies as parameters)*

*the server computer operable to execute instructions to create an output message in a predetermined extensible markup language format, the output message comprising the data retrieved, (col. 4 line 66 – col. 5 line 3) and*

*the server computer operable to execute instructions to convert the output message to a format indicated by the request. (col. 4 line 66 – col. 5 line 3)*

**Regarding claim 35, which is dependent upon claim 34, Jamtgaard discloses:**

*wherein the request comprises a servlet request format. (Fig. 5 connection between #60 and #44)*

**Regarding claim 36, which is dependent upon claim 34, Jamtgaard discloses:**

*wherein the predetermined extensible markup language format of the input message and the output message is predetermined as a function of instructions comprising a createField method and a setAttribute method. (Fig. 5 connection from #60 to #62, re: "XML Document" and "Presentation Shoe")*

**Regarding claim 37**, which is dependent upon claim 34, Jamtgaard discloses:

*wherein the instructions to convert a request to an input message comprises a createInputMessage method, a createField method and a setAttribute method. (col. 6 lines 34-40 and col. 4 line 66 – col. 5 line 3)*

**Regarding claim 38**, which is dependent upon claim 34, Jamtgaard discloses:

*wherein the instructions to create an output message comprises a createOutputMessage method, a createField method and a setAttribute method. (col. 4 line 66 – col. 5 line 3)*

**Regarding claim 39**, which is dependent upon claim 34, Jamtgaard discloses:

*wherein the instructions to retrieve data comprises custom application code. (Fig. 5 #62)*

**Regarding claim 40**, which is dependent upon claim 34, Jamtgaard discloses:

*wherein the instructions to convert the output message comprises one of a generateXML- method and a generatePresentation method. (col. 4 line 66 – col. 5 line 6, discussing XML generation and presentment)*

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 7 and 26 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Jamtgaard et al. (US Patent No. 6,430,624, provisionally filed Oct. 21, 1999 and issued Aug. 6, 2002, hereafter referred to as "Jamtgaard") in view of Chuck McManis, "Take an in-depth look at the Java Reflection API", Java World, September 1997, pp. 1-11, hereafter referred to as "McManis").

**Regarding claim 7**, which is dependent upon claim 1, the limitations of claim 1 have been previously discussed.

However, Jamtgaard does not explicitly disclose:

*wherein b) comprises selectively setting the length of a field name for each of a plurality of fields.*

McManis, though, discloses:

*wherein b) comprises selectively setting the length of a field name for each of a plurality of fields. (p. 4 code under section entitled "Identifying the class's package", especially the code referring to "y = x.substring ..." and "y.length()")*

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of McManis for the benefit of Jamtgaard, because to do so would allow a programmer to identify a class's package as taught by McManis in p. 4, "Identifying the class's package" section. These references were all applicable to the same field of endeavor, i.e., object oriented programming.

**Regarding claim 26**, which is dependent upon claim 21, the limitations of claim 21 have been previously discussed.

However, Jamtgaard does not explicitly disclose:

*further comprising selecting, as a function of a mode debug flag, one of a short field name and a long field name for each of a plurality of fields in the first and second document object model documents.*

McManis, though, discloses:

*further comprising selecting, as a function of a mode debug flag, one of a short field name and a long field name for each of a plurality of fields in the first and second document object model documents. (p. 5, 2<sup>nd</sup> paragraph under section entitled "Collecting class references from declarations and parameters")*

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of McManis for the benefit of Jamtgaard, because to do so would allow a programmer to identify a shorthand name for a type as taught by McManis in p. 5, 2<sup>nd</sup> paragraph under section entitled "Collecting class references from declarations and parameters". These references were all applicable to the same field of endeavor, i.e., object oriented programming.

**5. Claims 41-50 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Jamtgaard et al. (US Patent No. 6,430,624, provisionally filed Oct. 21, 1999 and issued Aug. 6, 2002, hereafter referred to as "Jamtgaard") in view of David Flanagan, Java Examples in a Nutshell: A Tutorial Companion to Java in a Nutshell, O'Reilly & Associates, Inc., (c) 1997, pp. 20-26, hereafter referred to as "Flanagan"). Note that the

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Microsoft Dictionary, 5<sup>th</sup> Edition, Microsoft Press, Redmond, © 2002 (hereafter "MS Dictionary") has been used to provide the definition of "wrapper".

**Regarding independent method claim 41, Jamtgaard discloses:**

*A system for leveraging extensible markup language technology to provide an interface between a back-end systems layer and a front-end systems layer, the system comprising:*

*a server computer; (col. 4 lines 39-40)  
an ApiService class operable within the server computer to direct the translation of a request to an input message; (Fig. 5 #44)  
a document object model class operable within the server computer to represent the input message as a document object model document; (Fig. 3 #28, re: use of DOM)  
and  
a BusinessService class operable within the server computer to direct the execution of custom application code as a function of the input message. (Fig. 5, un-numbered dotted region [encloses #62-84])*

However, Jamtgaard does not explicitly disclose:

*a Message class and a Field class operable within the server computer as wrapper of the document object model class to restrict manipulation of the document object model document;*

Flanagan, though, discloses:

*a Message class and a Field class operable within the server computer as wrapper of the document object model class to restrict manipulation of the document object model document; (p. 24, 1<sup>st</sup> paragraph under "Complex Numbers" discusses encapsulation. Note that MS Dictionary [p. 575] defines a wrapper as an object which "encapsulates" another object)*

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Flanagan for the benefit of Jamtgaard, because to do

so would allow a programmer to hide implementation details as taught by Flanagan in p. 24, 1<sup>st</sup> paragraph under "Complex Numbers". These references were all applicable to the same field of endeavor, i.e., object oriented programming.

**Regarding claim 42**, which is dependent upon claim 41, the limitations of claim 41 have been previously discussed. Jamtgaard further discloses:

*wherein the custom application code is operable to process the input message to retrieve data, the data translatable with the document object model class, the Message class and the Field class to an output message in the form of a document object model document. (Fig. 5 #62)*

**Regarding claim 43**, which is dependent upon claim 42, the limitations of claim 41 have been previously discussed. Jamtgaard further discloses:

*wherein the ApiService class is operable to direct the conversion of the output message to a presentation format defined by the request. (col. 4 line 66 – col. 5 line 6)*

**Regarding claim 44**, which is dependent upon claim 41, the limitations of claim 41 have been previously discussed. Jamtgaard further discloses:

*wherein the input message and the output message comprises a root element and a plurality of sub-elements. (Fig. 12, showing a tree data structure comprised of a root node and sub-element nodes)*

**Regarding claim 45**, which is dependent upon claim 41, the limitations of claim 41 have been previously discussed. Jamtgaard further discloses:



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*further comprising a Fldtypes class operable within the server computer, wherein the Fldtypes class comprises definitions of the format of datatypes for fields within the input message. (col. 14 lines 50-60)*

**Regarding claim 46**, which is dependent upon claim 41, the limitations of claim 41 have been previously discussed. Jamtgaard further discloses:

*wherein the document object model document comprises a plurality of field names, the field names selectable with a mode debug flag as one of a first field name and a second field name. (Fig. 3 #28, re: use of DOM)*

**Regarding claim 47**, which is dependent upon claim 46, the limitations of claim 41 have been previously discussed. Jamtgaard further discloses:

*wherein the first field name and the second field name are defined in a MESSAGEDEFINITION class operable within the server computer. (col. 12 lines 53-63 discuss field and atomic names)*

**Regarding claim 48**, which is dependent upon claim 41, the limitations of claim 41 have been previously discussed. Jamtgaard further discloses:

*wherein the document object model class comprises a Document class, a document object model Element class and a plurality of ProcessingInstruction classes, the Message class operable as a wrapper of the Document class, the document object model Element class and the ProcessingInstruction classes. (Fig. 3 #28, re: use of DOM)*

**Regarding claim 49**, which is dependent upon claim 41, the limitations of claim 41 have been previously discussed. Jamtgaard further discloses:

*wherein the document object model class comprises a document object model setAttribute method, Field class operable as a wrapper of the document object model setAttribute method. (Fig. 3 #28, re: use of DOM)*

**Regarding claim 50**, which is dependent upon claim 41, the limitations of claim 41 have been previously discussed.

However, Jamtgaard does not explicitly disclose:

*wherein the BusinessService class comprises a subclass of custom application code responsive to the request.*

Flanagan, though, discloses:

*wherein the BusinessService class comprises a subclass of custom application code responsive to the request. (p. 23 "A Rect Subclass" section discusses the use of a subclass)*

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Flanagan for the benefit of Jamtgaard, because to do so would allow a programmer to create a child class that inherits the fields and methods of its parent class as taught by Flanagan in p. 23 "A Rect Subclass" section. These references were all applicable to the same field of endeavor, i.e., object oriented programming.

### ***Response to Arguments***

11. Applicant's arguments filed 12/22/2004 have been fully considered but they are not persuasive.

Applicant's remarks on pages 12-13 of the amendment concerning the "Specification", "Drawings", and "Rejection of Claims Under 35 USC 112 2<sup>nd</sup> paragraph" raised in the FAOM have been addressed above.

Regarding the FAOM rejections of claims 1-6 and 8-12 under 35 USC 102 (e), Applicant's arguments on pages 14-16 boil down to "Jamtgaard doesn't necessarily teach translating requests". Additionally Applicant asserts that the translation is not based upon the request. Applicant further asserts that claims 5 and 6 are not taught by Jamtgaard.

However, the Office first notes that the Jamtgaard reference operates in an environment comprised of diverse hardware platforms. It is inherent that for communications to successfully take place between these platforms, requests must be translated. Also refer to Fig 2, esp. #14 "Other Telco Gateway", noting that a gateway enables communications via protocol conversions (i.e., request translations). See the definition of gateway on page 232 of the Microsoft Computer Dictionary, 5<sup>th</sup> Edition, Redmond, WA, © 2002. Additionally, it is also inherent that a response to a request must be based upon that request. Further, claims 5 and 6 show the claimed limitations. The Office therefore maintains the FAOM rejections of claims 1-6, and 8-12 under 35 USC 102 (e).

Regarding the FAOM rejections of claims 13-20 under 35 USC 102 (e), Applicant argues on pages 16-17 that Jamtgaard is deficient in addressing the limitations of claims 13-17 and 18-20 are dependent upon claims 13-20.

However, the Office first notes that the Jamtgaard reference inherently teaches the limitations of claim 13, as per the arguments set forth above, noting that one skilled in the art uses the terms document and message interchangeably. Additionally, it is inherent that requests contain parameters. Jamtgaard also describes XML processing and tree analysis, it being inherent that a root element is to be processed. Thus claims 13-17 and dependent claims 18-20 are properly rejected under 35 USC 102(e). The Office therefore maintains the FAOM rejections of claims 13-20 under 35 USC 102 (e).

Regarding the FAOM rejections of claims 21-25 and 27-33 under 35 USC 102 (e), Applicant's arguments on pages 18-19 again boil down to "Jamtgaard doesn't necessarily teach translating requests". Additionally Applicant asserts that the translation is not based upon the request.

However, the Office first notes that the Jamtgaard reference inherently teaches the limitations of claims 21-25 and 27, as per the arguments set forth above, noting that one skilled in the art uses the terms document and message interchangeably. Additionally, it is inherent that requests contain parameters. Jamtgaard also describes XML processing and tree analysis, it being inherent that a root element is to be processed. Thus claims 21-25, 27 and dependent claims 28-33 are properly rejected

under 35 USC 102(e). The Office therefore maintains the FAOM rejections of claims 21-25 and 27 under 35 USC 102 (e).

Regarding the FAOM rejections of claims 34-40 under 35 USC 102 (e), Applicant's arguments on pages 18-19 again boil down to "Jamtgaard doesn't necessarily teach translating requests". Additionally Applicant asserts that the translation is not based upon the request.

However, the Office first notes that the Jamtgaard reference inherently teaches the limitations of claims 34-40, as per the arguments set forth above, noting that one skilled in the art uses the terms document and message interchangeably. Additionally, it is inherent that requests contain parameters. Jamtgaard also describes XML processing and tree analysis, it being inherent that a root element is to be processed. Thus claims 34-40 and dependent claim 39 are properly rejected under 35 USC 102(e). The Office therefore maintains the FAOM rejections of claims 34-40 under 35 USC 102 (e).

Regarding the FAOM rejections of claims 7 and 26 under 35 USC 103 (a), Applicant argues on page 21 that the Jamtgaard reference is deficient, as per the arguments offered vice the 35 USC 012(e) rejections of claims 1-6, 8-25 and 27-40.

However, the Office has addressed the merits of the Jamtgaard reference, as set forth above in the preceding paragraphs concerning the rejection of claims under 35

USC 102(e). The Office therefore maintains the FAOM rejections of claims 7 and 26 under 35 USC 103 (a).

Regarding the FAOM rejections of claims 41-50 under 35 USC 103 (a), Applicant argues on page 21 that the Jamtgaard reference is deficient, as per the arguments offered vice the 35 USC 012(e) rejections of claims 1-6, 8-25 and 27-40.

However, the Office has addressed the merits of the Jamtgaard reference, as set forth above in the preceding paragraphs concerning the rejection of claims under 35 USC 102(e). The Office therefore maintains the FAOM rejections of claims 7 and 26 under 35 USC 103 (a).

### ***Conclusion***

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M Stevens whose telephone number is (571) 272-4102. The examiner can normally be reached on M-F 6:00 - 2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (571) 272-4090. The current fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Additionally, the main number for Technology Center 2100 is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Robert M. Stevens  
reg. No. 47,972  
Art Unit 2176  
Date: April 19, 2005

  
JOSEPH FEILD  
SUPERVISORY PATENT EXAMINER

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